

Remarks

Claims 13-20, and 25 are now pending in the application. Claims 13 and 25 have been amended herein. Claims 1-7, 10-12, and 26 have been canceled herein without prejudice. Favorable reconsideration of the application, as amended, is respectfully requested.

I. REJECTIONS OF CLAIMS 1-7, 10-20, 25 AND 26 UNDER 35 U.S.C. §§ 102 AND 103

Claims 1-7, 10-12, and 26 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,943,055 ("Sylvan"). Claims 13-20 and 25 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,226,512 ("Macaulay"). Claims 13 and 25 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,416,831 ("Chewning"). Since claims 1-7, 10-12, and 26 have been canceled herein, the rejections of these claims based on the Sylvan patent are now moot. All pending claims are believed to be allowable for at least the following reasons. Withdrawal of the rejection is respectfully requested.

The inventions defined in independent claims 13-20, and 25 are related to a method and computer-readable media for displaying a soft key label. Independent claims 13 and 25 have been amended herein to further clarify one of the features of the invention.

For example, independent claim 13 now recites "storing a plurality of soft key label sets wherein one of the plurality of the soft key label sets has a function in a particular context and includes a text string." Claim 13 further recites, *inter alia*, "displaying the one of the plurality of the soft key label sets on the display such that the text string corresponds to a physical button on the telephone," and "changing the one of the plurality of the soft key label sets to another of the plurality of the soft key label sets when the context changes." Claim 13 now requires that "while the one of the plurality of the soft key label sets is being changed, the physical button is deactivated. Independent claim 25 also recites features similar to those of claim 13. The features recited in claims 13 and 25 were recited in the originally submitted claim set. No new matter has been introduced by the amendments.

The Office Action cited the Macaulay patent as describing soft key labels which is deactivated. However, Macaulay's buttons 118 are deactivated *after* the softkey icon 110 is turned off, not while the softkey 110 is being changed. See, Macaulay, column 8, lines 1-13.

Macaulay's sequence of displaying different labels does not suggest in any way the claimed temporary *deactivation of a physical button while* the display is being changed. In fact, the Macaulay patent is not concerned with the time period during which the display is being

changed. Macaulay merely describes various relationships between one display before a change, and another display after the change. Macaulay is silent on a transition period between the two displays, during which a soft key is deactivated according to the present invention.

By contrast, independent claims 13 and 25 now requires that "*while the one of the plurality of the soft key label sets is being changed*, the physical button is deactivated." Therefore, the Macaulay patent cannot be said to anticipated the claimed invention.

The Chewning patent also fails to suggest the claimed temporary deactivation of a physical button *while the one of the plurality of the soft key label sets is being changed*. The cited portions of the Chewning patent (e.g., column 28, lines 23-38) merely suggests a sequence of different displays triggered by a key press.

In view of the foregoing, independent claims 13 and 25 are believed to be patentable over the cited art. The Examiner's rejections of the dependent claims are respectfully traversed. However, to expedite prosecution, all of these claims will not be argued separately. Other claims each depend either directly or indirectly from independent claims 13 and 25, and therefore, are respectfully submitted to be patentable over cited art for at least the reasons set forth above with respect to claims 13 and 25.

II. CONCLUSION

Applicant believes that all pending claims are in condition for allowance, and respectfully requests a Notice of Allowance at an early date. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 510-663-1100, ext. 245.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



Haruo Yawata
Limited Recognition No. L0109

P.O. Box 70250
Oakland, CA 94612-0250
510-663-1100, ext. 245

Appln. No.: 09/480,644
Atty Docket: CISC118/1662

6